

in this United States Congress it means more and more false statements made about health care. The other side of the aisle continues in March madness, talking about socialism, comparing our system to England and Canada. Nothing like it at all. What our system proposes is subsidizing people who don't have health care and small businesses to make sure they get health care and can live truly: life, health, liberty, and the pursuit of happiness.

They talk about abortion. It doesn't change the Hyde amendment, which has been on the books forever. They talk about procedure, procedure they used. They talk about creeping socialism. There is nothing about socialism. The fact is this country is the last industrialized country in the world to provide health care for its citizens. It's the right thing to do. We will be proud of this Congress when we pass it. I wish it was bipartisan.

#### SPECIAL DEALS STILL IN OBAMACARE

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, we have all heard about the Cornhusker kickback and the Louisiana purchase. But there are other special deals in the Senate health care bill that are on the verge of becoming law.

In Connecticut, there is \$100 million for a university hospital inserted by Senator Dodd. There is \$500 million in Medicaid to bail out the health care program in Massachusetts. The small State of Vermont gets \$600 million for their Medicaid program. This bill will subsidize New Jersey pharmaceutical companies and will give \$5 billion to union health care plans in Massachusetts and Michigan. It will slash Medicare Advantage programs for every State except Florida. It will exempt Blue Cross-Blue Shield of Michigan and Nebraska from the new annual fee on health insurers. This bill will provide higher Medicare payments in North Dakota and exempt hospitals in Hawaii from cuts.

All of these will become law the moment this House arrogantly "deems this bill passed" to the President. Is it any wonder the American people don't like this bill being crammed through, forced through, and bribed through?

#### HEALTH CARE REFORM

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, this week we are closer than we have ever been to passing real, comprehensive health insurance reform for the American people.

Reform is simple. It gives consumers, working families, and small businesses

more control and forces insurance companies to do what is right. With respect to Medicare, it extends the life of the Medicare trust fund and improves benefits for our seniors, including improving the prescription drug benefit.

My friends on the other side of the aisle are not interested in passing real reform for the American people. They want to maintain the status quo in which we see health care spending growing exponentially, more and more families losing coverage, and health insurance companies continuing to raise rates free of any restrictions. And they are okay with allowing tens of millions of taxpaying, hardworking Americans to go on without needed health insurance, the same coverage they enjoy as Members of Congress.

They also want to eliminate Medicare as we know it today. They want to privatize Medicare and give seniors a coupon to go out and shop for private insurance plans from the same companies that have been raising rates and dropping customers.

Health insurance reform is not just about insuring the uninsured. It's about also protecting and improving Medicare. Mr. Speaker, I encourage these reforms.

#### THE RELEASE OF FATHER LY

(Mr. CAO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CAO. Mr. Speaker, I rise today to thank the State Department for finally securing the release of Father Nguyen van Ly. I have advocated and pushed hard for Father Ly's release in the past year, and I'm glad that my hard work has come to fruition.

Father Ly is one of the many Vietnamese citizens who have been harassed for religious and democracy advocacy. He was placed on trial without defense and was imprisoned for almost 17 years for promoting human rights and religious freedom. As a Roman Catholic priest and prominent Vietnamese dissident, Father Ly has become a powerful icon in the ongoing fight for democracy in Vietnam. He is a hero for many Vietnamese worldwide.

While the release of Father Ly is a good start, we still have a long way to go. We as a country must uphold our values and must continue to challenge countries like Vietnam and China on their human rights and religious freedom violations. One day, maybe, my dream then will come true: A free and democratic Vietnam.

□ 1030

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to SPEAKER 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas

and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

#### HONORING SUPREME COURT JUSTICE SANDRA DAY O'CONNOR

Mr. COHEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1141) honoring the accomplishments of Supreme Court Justice Sandra Day O'Connor, the first woman to serve on the United States Supreme Court.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 1141

Whereas Sandra Day O'Connor was born on March 26, 1930, in El Paso, Texas and spent most of her childhood on her family's ranch, the Lazy B, located in the high deserts outside of Duncan, Arizona;

Whereas Sandra Day O'Connor graduated magna cum laude from Stanford University in 1950 with a Bachelor of Arts degree in economics, and graduated in the top three of her class at Stanford University Law School in 1952;

Whereas Sandra Day O'Connor married John J. O'Connor III, a fellow Stanford Law student, in December 1952 on the Lazy B Ranch and raised three children with him in Paradise Valley, Arizona;

Whereas after practicing law in Frankfurt, Germany, and Phoenix, Arizona, Sandra Day O'Connor began her career in public service as the Arizona Assistant Attorney General in 1965;

Whereas Sandra Day O'Connor was appointed to the Arizona State Senate in 1969 and was subsequently re-elected;

Whereas Sandra Day O'Connor rose to many leadership positions during her 6 years in the legislature, including as the first woman State Senate majority leader in the United States;

Whereas Sandra Day O'Connor was elected judge for Maricopa County Superior Court in 1975;

Whereas Sandra Day O'Connor was appointed to the Arizona Court of Appeals, the State's second-highest court, by Governor Bruce Babbitt in 1979;

Whereas Ronald Reagan nominated Sandra Day O'Connor in 1981 to serve as the first woman on the United States Supreme Court, which was swiftly approved by the Senate by unanimous consent, with the strong support of Arizona Senators Barry Goldwater and Dennis DeConcini;

Whereas Sandra Day O'Connor was sworn in as a United States Supreme Court Justice by Chief Justice Warren Burger on September 25, 1981, commencing her 24 terms on the Supreme Court, a career distinguished by her centrist role and commitment to uphold the law and the Constitution;

Whereas Sandra Day O'Connor's support for the proposed Equal Rights Amendment further strengthened her role as a mentor and leader for women of all generations;

Whereas, on August 12, 2009, President Barack Obama awarded Sandra Day O'Connor the Presidential Medal of Freedom, the highest honor given to a civilian;

Whereas Sandra Day O'Connor has become a nationally recognized leader in the effort to preserve judicial independence through her strong support of selecting judges by nonpartisan commissions;

Whereas Sandra Day O'Connor continues to honor her commitment to public service, most recently through her web-based education project, Our Courts, which strives to engage young people in civics and the democratic process; and

Whereas Sandra Day O'Connor will turn 80 years old on March 26, 2010: Now, therefore, be it

*Resolved*, That the House of Representatives honors the achievements and distinguished career of Justice Sandra Day O'Connor, and recognizes her impact as an American symbol of hard work and rugged individualism.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

#### GENERAL LEAVE

Mr. COHEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COHEN. I yield myself such time as I may consume.

Mr. Speaker, I rise to wish you and all of America a happy St. Patrick's Day, and in support of House Resolution 1141, to honor the accomplishments of Justice Sandra Day O'Connor.

Justice O'Connor blazed paths of history for women throughout her career. In 1969, she was appointed to the Arizona State Senate, and in 1972 she became the first woman to serve as the majority leader of any State senate in the United States.

Later, she became a trial judge for Maricopa County, Arizona, and only a few years later was appointed to the court of appeals. Then in 1981, she was nominated to the Supreme Court, the first woman to sit on the United States Supreme Court, and she did us proud.

Justice O'Connor retired in 2006, but she continues to be actively involved with promoting good government and civic education. For example, she spearheaded "Our Courts," a Web-based education project designed to reinvigorate learning inside and outside the classroom.

There were so many opinions when she was a part of the majority and also when she was a part of the minority to where we know her voice is missed today. Although appointed by a Republican President, she was bipartisan and called them by the book and did a lot to see that this country's Supreme Court was highly respected and not politicized.

This resolution is a way to honor her for service to our country. I commend my colleague, GABBY GIFFORDS of Arizona, for introducing this resolution. I urge my colleagues to support it. I hope we have more Justices like her in the future.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1141 honors the accomplishments of the Honorable Sandra Day O'Connor, the first woman to serve on the United States Supreme Court.

Justice O'Connor was born in El Paso, Texas, in 1930, and grew up on a cattle ranch called the Lazy-B near Duncan, Arizona. She befriended cowboys who worked on the ranch, learned to drive a car and shoot a gun, and became an expert horseback rider.

Her parents decided that she needed an education, so O'Connor went to live with her maternal grandmother in El Paso. She later studied economics at Stanford University with an eye toward running the Lazy-B or another ranch. However, a legal dispute over the Lazy-B sparked her interest in the law. O'Connor enrolled in Stanford's law school, and graduated in only 2 years, third in her class, that included valedictorian and future Chief Justice of the United States William Rehnquist. One of her other classmates, John Jay O'Connor, became her husband.

This was the early 1950s, and despite her stellar law school record, O'Connor could not find work as a lawyer. But she was determined. She started out as a legal secretary before finding employment as the deputy county attorney for San Mateo, California. When her husband was drafted into the Judge Advocate General's Corps, she joined him in Frankfurt, Germany, where she served as a civilian attorney in the Quartermaster's Corps.

Returning to the United States in 1957, the couple settled in Phoenix and started a family. Three children arrived in the next 6 years. O'Connor eventually hung out a shingle with one partner and began a general law practice. But with the birth of her second child, she devoted herself to homemaker duties, charitable work, and local Republican politics.

Following 5 years as a full-time mother, O'Connor returned to work as an Arizona assistant attorney general. Later, the Governor appointed her to fill a vacant State senate seat, a position she successfully defended twice in two elections. In 1974, O'Connor became the first woman to serve as the majority leader in the State legislature. This achievement propelled her to the bench, first as a Maricopa County Superior Court judge and then in 1978 as a member of the Arizona Court of Appeals, the State's intermediate appellate court. Justice O'Connor distinguished herself as a smart, fair, even-tempered judge.

This compelling story intrigued President Ronald Reagan, who was searching for a successor to replace retiring Justice Potter Stewart at the United States Supreme Court. In Sandra Day O'Connor, he found his nominee.

Senate confirmations are not for the faint-hearted, but O'Connor came through like an experienced pro. She was confirmed by a vote of 99-0 and was sworn in as the 102nd member of the Court on September 21, 1981. Of obvious importance, then and now, she became the first woman to serve as an Associate Justice. So much for glass ceilings.

Justice O'Connor served on the Court for nearly a quarter of a century before retiring in 2006. Early in her tenure, she was known as a conservative jurist who preferred analyzing cases with a narrow fact-specific approach. Later, she acquired the reputation as a swing vote. Law Professor Steven Green once paid her perhaps the ultimate compliment when she "seemed to look at each case with an open mind."

Since retiring from the Court, Justice O'Connor really hasn't retired. She selflessly devoted herself to caring for her husband, John, who was diagnosed with Alzheimer's disease in 1990 and passed away last November.

In addition to travel and spending time with other family members, Justice O'Connor has worked on an American Bar Association project to educate Americans about the role of judges, served as the chancellor of the College of William and Mary, and performed trustee duties for the National Constitution Center.

In recognition of her life's work, President Obama awarded her the Presidential Medal of Freedom, the highest civilian honor of the United States, on August 12, 2009.

Mr. Speaker, Sandra Day O'Connor is a pioneer for women and an inspiration to all Americans. I urge my colleagues to support H. Res. 1141, which honors her many accomplishments.

I yield back the balance of my time.

Mr. COHEN. Mr. Speaker, I would just like to reiterate my extreme commendations of Justice Sandra Day O'Connor's life and the appropriateness of the resolution.

When I was a member of the National Conference of State Legislators, I suggested we give an award each year to the State legislator who had done the most later in their lives, and Sandra Day O'Connor as well as Julian Bond were the two people I put up as examples of people who should be honored by the National Conference of State Legislators to encourage State legislatures to go on beyond that and to do extra in their lives.

And Sandra Day O'Connor was a State senator who did much. And, as Mr. SMITH said, she had an open mind, and that is something we need to commend. And in Arizona, where Representative GIFFORDS is from and sponsored this resolution, we had Barry Goldwater who, like her, came in at a certain posture. But as his career went on, he had an open mind, and he stood up for tolerance and he stood up for diversity.

I am proud to be here to speak in favor of this resolution, and I would

ask that my colleagues vote to support unanimously this resolution and to pass H. Res. 1141.

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

H. Res. 1141 honors the accomplishments of the Honorable Sandra Day O'Connor, the first woman to serve on the United States Supreme Court.

Justice O'Connor was born in El Paso, Texas, in 1930 and grew up on a cattle ranch called the "Lazy-B" near Duncan, Arizona. The ranch was isolated and she did not have a sibling to play with until she turned eight. To compensate, young Sandra demonstrated the initiative and drive that would later propel her to the Court.

She befriended cowboys who worked on the ranch, learned to drive a car and shoot a gun, and became an expert equestrian. She also kept many pets during her childhood, including a bobcat, which probably taught her how to deal with lawyers.

Her parents decided she needed an education, so O'Connor went to live with her maternal grandmother, Mamie Scott Wilkey, in El Paso. Although homesick, O'Connor became an outstanding student and graduated from the Radford School for Girls at age 16. O'Connor always credited Mrs. Wilkey for instilling confidence in her.

She later studied economics at Stanford with an eye toward running the Lazy-B or another ranch. However, a legal dispute over the Lazy-B sparked her interest in the law. O'Connor enrolled in Stanford's law school and graduated in only 2 years, third in her class that included valedictorian and future Chief Justice of the United States William Rehnquist. One of her other classmates, John Jay O'Connor, became her husband.

This was the early 1950s and, despite her stellar law school record, O'Connor could not find work as a lawyer. The legal profession was not an easy place for women at that time.

But O'Connor was determined. She started out as a legal secretary before finding employment as the deputy county attorney for San Mateo, California. When her husband was drafted into the Judge Advocate General's Corps, she joined him in Frankfurt, Germany, where she served as a civilian attorney in the Quartermaster's Corps.

Returning to the United States in 1957, the couple settled in Phoenix and started a family—three children arrived in the next six years. O'Connor eventually hung out a shingle with one partner and began a general law practice. But with the birth of her second child, she devoted herself to homemaker duties, charitable work, and local Republican politics.

Following five years as a full-time mother, O'Connor returned to work as an Arizona assistant attorney general. Later, the governor appointed her to fill a vacant state senate seat, a position she successfully defended twice in successive elections. By 1974, O'Connor had become the first woman to serve as the majority leader in a state legislature. This achievement propelled her to the bench—first as a Maricopa County Superior Court judge and then, in 1978, as a member of the Arizona Court of Appeals, the state's intermediate appellate court.

Justice O'Connor distinguished herself as a smart, fair, even-tempered judge. She had overcome de facto discrimination through persistence, hard work, and a devotion to institutions and causes bigger than herself.

This compelling story intrigued President Ronald Reagan, who was searching for a successor to replace retiring Justice Potter Stewart at the United States Supreme Court. In Sandra Day O'Connor, he found his nominee.

Senate confirmations are not for the faint-hearted, but O'Connor came through like an experienced pro. She was confirmed by a vote of 99–0 and was sworn as the 102nd member of the Court on September 21, 1981. Of obvious importance then and now, she became the first woman to serve as an Associate Justice.

Justice O'Connor served on the Court for nearly a quarter of a century before retiring in 2006. Early in her tenure, she was known as a conservative jurist who preferred analyzing cases with a narrow, fact-specific approach. Later, she acquired the reputation as a "swing vote." Law Professor Steven Green once paid her perhaps the ultimate compliment when he observed that she "seemed to look at each case with an open mind."

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In addition to travel and spending time with other family members, Justice O'Connor has worked on an ABA project to educate Americans about the role of judges, served as a the Chancellor of The College of William & Mary, and performed trustee duties for the National Constitution Center.

In recognition of her life's work, she was awarded the Presidential Medal of Freedom—the highest civilian honor of the United States—on August 12, 2009.

Mr. Speaker, Justice Sandra Day O'Connor is a pioneer for women and an inspiration to all Americans. I urge my colleagues to support H. Res. 1141, which honors her many accomplishments.

Mr. COHEN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the resolution, H. Res. 1141.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. COHEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### PREVENT ALL CIGARETTE TRAFFICKING ACT OF 2009

Mr. COHEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1147) to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1147

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; FINDINGS; PURPOSES.

(a) SHORT TITLE.—This Act may be cited as the "Prevent All Cigarette Trafficking Act of 2009" or "PACT Act".

(b) FINDINGS.—Congress finds that—

(1) the sale of illegal cigarettes and smokeless tobacco products significantly reduces Federal, State, and local government revenues, with Internet sales alone accounting for billions of dollars of lost Federal, State, and local tobacco tax revenue each year;

(2) Hezbollah, Hamas, al Qaeda, and other terrorist organizations have profited from trafficking in illegal cigarettes or counterfeit cigarette tax stamps;

(3) terrorist involvement in illicit cigarette trafficking will continue to grow because of the large profits such organizations can earn;

(4) the sale of illegal cigarettes and smokeless tobacco over the Internet, and through mail, fax, or phone orders, makes it cheaper and easier for children to obtain tobacco products;

(5) the majority of Internet and other remote sales of cigarettes and smokeless tobacco are being made without adequate precautions to protect against sales to children, without the payment of applicable taxes, and without complying with the nominal registration and reporting requirements in existing Federal law;

(6) unfair competition from illegal sales of cigarettes and smokeless tobacco is taking billions of dollars of sales away from law-abiding retailers throughout the United States;

(7) with rising State and local tobacco tax rates, the incentives for the illegal sale of cigarettes and smokeless tobacco have increased;

(8) the number of active tobacco investigations being conducted by the Bureau of Alcohol, Tobacco, Firearms, and Explosives rose to 452 in 2005;

(9) the number of Internet vendors in the United States and in foreign countries that sell cigarettes and smokeless tobacco to buyers in the United States increased from only about 40 in 2000 to more than 500 in 2005; and

(10) the intrastate sale of illegal cigarettes and smokeless tobacco over the Internet has a substantial effect on interstate commerce.

(c) PURPOSES.—It is the purpose of this Act to—

(1) require Internet and other remote sellers of cigarettes and smokeless tobacco to comply with the same laws that apply to law-abiding tobacco retailers;

(2) create strong disincentives to illegal smuggling of tobacco products;

(3) provide government enforcement officials with more effective enforcement tools to combat tobacco smuggling;

(4) make it more difficult for cigarette and smokeless tobacco traffickers to engage in and profit from their illegal activities;

(5) increase collections of Federal, State, and local excise taxes on cigarettes and smokeless tobacco; and

(6) prevent and reduce youth access to inexpensive cigarettes and smokeless tobacco through illegal Internet or contraband sales.

#### SEC. 2. COLLECTION OF STATE CIGARETTE AND SMOKELESS TOBACCO TAXES.

(a) DEFINITIONS.—The Act of October 19, 1949 (15 U.S.C. 375 et seq.; commonly referred to as the "Jenkins Act") (referred to in this Act as the "Jenkins Act"), is amended by striking the first section and inserting the following:

##### "SECTION 1. DEFINITIONS.

"As used in this Act, the following definitions apply:

"(1) ATTORNEY GENERAL.—The term 'attorney general', with respect to a State, means the attorney general or other chief law enforcement officer of the State.